IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 26896 of 2006(B)

PETITIONER:

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1. DR.G.SREENIVASAN,
   LECTURER, SELECTION GRADE,
   DEPARTMENT OF HISTORY, S.N.COLLEGE,
   CHEMPAZHANTHY.

2. DR.P.S.VIJAYANATHARAJ,
   READER IN POLITICAL SCIENCE,
   S.N.COLLEGE, CHEMPAZHANTHY.

3. DR.S.LEELAKUMARI AMMA,
   LECTURER, SELECTION GRADE,
   DEPARTMENT OF HINDI, S.N.COLLEGE,
   KOLLAM.

4. DR.T.HEMALATHA,
   LECTURER, SELECTION GRADE,
   DEPARTMENT OF HINDI, S.N.COLLEGE,
   KOLLAM.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:

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1. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
   KOLLAM.

2. DIRECTOR OF COLLEGIATE EDUCATION,
   THIRUVANANTHAPURAM.

3. STATE OF KERALA,
   REP. BY ITS SECRETARY TO GOVERNMENT,
   HIGHER EDUCATION DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE

FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 26896 OF 2006 B

Dated this the 31st January, 2007

JUDGMENT

The prayers in the Writ Petition are as follows:

"a. Call for the records leading upto Exts.P4 and P7 and quash the same by issuing a writ of certiorari or any other appropriate writ, order or direction.

b. Issue a writ of mandamus or any other appropriate writ, order or direction declaring that the petitioners are eligible for two advance increments on the basis of their placement in the Selection Grade as provided under Cl.6.18 of GO (P) No.171/99/H. Edn. Dated 21.12.1999.

c. Issue a writ of mandamus or any other appropriate writ, order or direction directing the first respondent to sanction and disburse two advance increments to the petitioners with effect from 11.9.2004, 3.10.2003, 1.10.2003 and

6.2.2003 respectively, on that date they were placed to selection grade."

2. A Counter Affidavit has been filed on behalf of first respondent, wherein it is stated as follows:

> *"12. It is most respectfully submitted that the petitioners' claim for two advance increments can be admitted as detailed above w.e.f. their dates of selection grade placements. Hence it is submitted that the Writ Petition is devoid of any merit and liable to be dismissed on cost."*

3. In the light of the stand taken in the Counter Affidavit, the Writ Petition will stand disposed of with a direction to first respondent to grant two advance increments to the petitioners with effect from the dates as mentioned in paragraph 12 of the Counter Affidavit, within a period of one month from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.